

Notice of Allowability

Application No.

09/675,252

Examiner

JAGDISH PATEL

Applicant(s)

WASHIZUKA ET AL.

Art Unit

3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/20/2006.
2. ☒ The allowed claim(s) is/are 2-5, 8, 10-17 and 20.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 5/30/2006
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

1. This communication is in response to amendment filed 3/20/2006.

Response to Amendment

2. Claims 2-5,7,8,10-17 and 20 are pending and have been allowed.

Reasons for Allowance

3. The following is an examiner's statement of reasons for allowance:

The claimed inventions pertain to electronic commerce and in particular, to purchase transactions between a buyer and seller of a product or service.

4. The following prior art references have been deemed most relevant to the allowed claim(s) (applies to all allowed claims):

5. Ashby (US Pub. No. 2002/0010685) (hereafter Ashby) teaches an apparatus for facilitating the exchange of services between a buyer and seller includes a server having a memory to store messages posted by buyers and sellers identifying goods and services. The memory stores a message agreed to between the buyer and seller representing a payment plan and deliverable plan. An escrow procedure stores a monetary representation of a deposit by the buyer equal to an amount of money in an escrow account, according to the agreed upon payment plan. The escrow procedure includes a release procedure that is configured such that when the deliverables are delivered to and approved by the buyer, the release procedure releases the amount of money equal to the respective stage of the agreed upon payment plan.

Walker et al. (US 5,794,207) (Walker) teaches a payment system between the buyer and seller which involves the use of an escrow account associated with the buyer wherein funds advanced by the buyer to cover the purchase of a desired good can be kept pending acceptance by a qualified seller.

Ashby and Walker deemed closest prior of record fail to teach or suggest singly or in any combination with other prior art of record a method or a system or an apparatus for guaranteeing account reconciliation in purchase transactions between a buyer and a seller of a product or service which comprise the following features:

creating credit data which includes information specifying purchase transaction conditions for the product or service and sending the credit data to seller, the credit data guaranteeing payment to the seller and comparing the credit data with the acknowledgement data issued from the buyer when the buyer receives from the seller the product or service and subsequently making payment for the product or service to the seller when the content of the acknowledgement data satisfies the purchase transaction conditions described in the credit data.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Buyers put faith in escrow

Anonymous. Automatic I.D. News. Cleveland: Nov 1999.Vol.15, Iss. 12; pg. 22, 1 pgs

This article describes escrow services offered online.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAGDISH PATEL whose telephone number is (571) 272-6748. The examiner can normally be reached on 800AM-600PM M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (571)272-6747. The fax phone number for the organization where this application or proceeding is assigned is 517-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jagdish N. Patel

(Primary Examiner, AU 3624)

6/21/06